

LAW OFFICES

KANTROWITZ, GOLDHAMER & GRAIFMAN, P.C.

747 CHESTNUT RIDGE ROAD - SUITE 200

CHESTNUT RIDGE, NEW YORK 10977-6216

(845) 356-2570

FAX # (845) 356-4335

www.kgglaw.com

NEW JERSEY

210 SUMMIT AVE.

MONTVALE, N.J. 07645

(201) 391-7000

FAX # (201) 307-1086

PAUL B. GOLDHAMER**
BARRY S. KANTROWITZ**†
GARY S. GRAIFMAN**
RANDY J. PERLMUTTER**

JOHN M. CHAKAN**
LOUIS B. GERBER**‡
ROBERT A. LUBITZ**
BRANDON W. ROTHSTEIN*
REGINALD H. RUTISHAUSER**
WILLIAM T. SCHIFFMAN**
DANIEL B. SCHWARTZ*

OF COUNSEL

STEVEN B. ROTHCHILD*
JEFFREY P. ORLAN, P.A., P.C.*†

** N.Y. & N.J. BAR
* N.Y. BAR ONLY
† FLA. BAR
* MA. & N.H. BAR
‡ LA. BAR

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Via ECF Filing and Email Transmission

The Honorable Cathy Seibel, U.S.D.J.
U.S. District Court, S.D.N.Y.
300 Quarropas Street
White Plains, New York 10601

RE: *Kleinman, et al. v. Cohen, et al.*

Case Number: 7:15-cv-06338-CS

Rockland Supreme Court Index No.: 33699/2015

Our File No.: 3340.001

Dear Judge Seibel:

The undersigned represents the Plaintiffs in the above captioned matter which was just recently removed from New York State Supreme Court in Rockland County.

Pursuant to your rules, I respectfully request a pre-motion conference to address the issue of the propriety of the removal and Plaintiffs' proposed motion to remand the case to State Court.

This matter involves multiple claims including breach of contract, fraud and legal malpractice. The Plaintiff Kleinman and the Defendant Cohen are residents of the State of New York. There is no federal question involved in any of the litigation. The matter was removed based upon the Defendants' claim that this matter is related to a pending bankruptcy in the United States District Court for the District of Nevada. Plaintiffs respectfully maintain that the facts and circumstances surrounding this matter do not support the Defendants' contention that the Bankruptcy Court can, should, or will exercise jurisdiction over this dispute. The dispute basically involves claims between members of a limited liability company, which company is a secured creditor of a debtor in bankruptcy. The Bankruptcy Court proceedings in Nevada are in their final stages. Bankruptcy counsel advises that the case should be closed by September 30, 2015.

Rather than set forth all of the facts and circumstances which would appear in a motion to remand, the undersigned respectfully requests that a conference be scheduled either in person or via telephone to discuss a proposed motion and a briefing schedule.

Respectfully submitted,

**KANTROWITZ, GOLDHAMER
& GRAIFMAN, P.C.**

By: 
Barry S. Kantrowitz

GSG/cdc

cc: Steven Engel, Esq. (via ECF & email)
Katherine Wyman, Esq. (via ECF & email)
Abraham Kleinman, Esq.